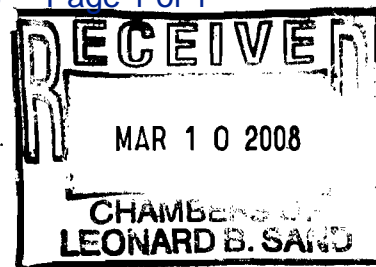


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JAMES WASSERMAN

WRITER'S DIRECT DIAL  
 403-7356

March 10, 2008

Via Facsimile

Honorable Leonard B. Sand  
 Senior United States District Judge  
 Southern District of New York  
 500 Pearl Street, Room 1650  
 New York, New York 10007-1312

**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
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 DATE FILED: 3-11-08

Re: Charles Brainard v. Kenyon & Kenyon, et al.,  
07 Civ. 8535 (LBS)

Dear Judge Sand:

We are the attorneys for the plaintiff in the above matter. We write to provide the Court with an update of the parties' discussions regarding resort to an alternative dispute resolution process for this matter.

The parties have agreed upon the name of one candidate who could serve as a neutral third-party to resolve the dispute. We are now in the process of checking his availability to serve in this capacity. The parties have also made some progress on the procedure to be used in submitting the matter to the neutral. Counsel for the respective parties believe that an additional three weeks will allow us to resolve these open issues and therefore jointly request an extension until March 31, 2008 for that purpose.

Thank you for your consideration of this matter.

Respectfully submitted,

*James Wasserman*  
 James Wasserman (JW-3717)

cc: Kay Kyungsun Yu, Esq. (via facsimile)

*Extension 3/31/08  
 is granted.  
 So ordered  
 3/10/08 [Signature] VPD*

**MEMO ENDORSED****MEMO ENDORSED**